



3739/11

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July 8, 2002

Box Response  
Assistant Commissioner for Patents  
Washington, DC 20231

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SUBJECT:      Applicant: Negus et al.  
                  Serial No: 09/493,423  
                  Filed: January 29, 2000  
                  For: PERCUTANEOUS MYOCARDIAL REVASCULARIZATION MARKING AND THERAPEUTIC OR DIAGNOSTIC AGENT DELIVERY SYSTEM  
                  Examiner: Farah, A.  
                  Group: 3739  
                  Docket No: LE-199J

Dear Sir:

Enclosed is a RESPONSE in reply to the Office Action mailed March 6, 2002, in the subject application. Also enclosed is an Extension of Time Within the First Month and a check in the amount of \$55.00.

If for any reason this RESPONSE is found to be INCOMPLETE, or if at any time it appears that a TELEPHONE CONFERENCE with counsel would help advance prosecution, please telephone the undersigned or his associates, collect in Waltham, Massachusetts (781) 890-5678.

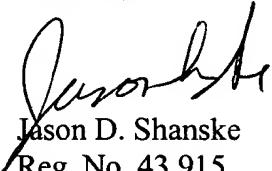
If any payment during prosecution is found to be incorrect, please charge any deficiency or credit any overpayment to my Deposit Account No. 09-0002. A copy of this letter is enclosed for use by the Finance Branch in the event that it is necessary to make any charge or credit to my deposit account.

Assistant Commissioner for Patents  
July 8, 2002  
Page 2

any request or Petition for an Extension of Time notwithstanding an inadvertent reference in the Petition to a shorter period of time is to be treated as requesting the appropriate length of time.

Kindly acknowledge receipt of the foregoing by returning the enclosed self-addressed postcard.

Sincerely,



Jason D. Shanske  
Reg. No. 43,915

JDS:lr  
Enclosures

#13  
DL

7-23-02

## THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Negus et al. Paper No:  
Serial No: 09/493,423 Group: 3739  
Filed: January 29, 2000 Examiner: Farah, A.  
For: PERCUTANEOUS Docket No: LE-199J  
MYOCARDIAL REVASCULARIZATION MARKING  
AND THERAPEUTIC OR  
DIAGNOSTIC AGENT  
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Box Response, Assistant Commissioner for Patents, Washington, DC 20231, on 7/18/02

  
Leslie Ruano

RESPONSE

This Response is in reply to the Office Action mailed March 6, 2002 in the subject application.

REMARKS

The applicants appreciate the Examiner's thorough examination of the application and requests reexamination and reconsideration of the application in view of the following remarks. The applicant also appreciates and acknowledges the Examiner's indication that claims 2 and 3 would be allowable if rewritten in independent form.

The Examiner rejects claim 1 under 35 USC § 102(e) as being unpatentable over U.S. Patent No. 6,056,743 to *Ellis*.